

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. Serial No.:	10/589,054	Confirmation No.:	5466
Inventors:	Soares, et al.	TC/A.U.:	1646
Filed: 371 (c)	April 1, 2008	Examiner:	Howard, Zachary C.
Title:	Amylin Family Peptides and Methods for Making and Using Them	Atty Docket:	0105US-UTL2

Commissioner for Patents
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**Response to "Notice to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures"**

This Response is submitted in reply to the PTO's "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures," a copy of which is attached hereto. A Response to the Notice is due on or before August 12, 2010.

Applicants respectfully disagree with the PTO's position set forth in the Notice and the Office Action dated May 12, 2010. The present sequence listing does comply with 37 CFR § 1.821(a)(1) and (a)(2).

Applicants agree with the PTO that in the Sequence Listing, residues 2 and 7 in SEQ ID NO:34 are identified as "any amino acid or not present."

Applicants agree, in part, that residues 2 and 7 in Formula I in the specification are identified as "X" and "Y". However, the specification must be read in its entirety.

As the PTO will appreciate, X and Y are not amino acids. Therefore, SEQ ID NO:34 cannot identify residues 2 and 7 as X and Y, respectively. The specification (at, e.g., Paragraph 90) in the published US application teaches that residues 2 (i.e., X) and 7 (i.e., Y) can be any amino acid (as does SEQ ID NO:34):

[0090] wherein X and Y are capable of creating a bond and are independently selected residues having side chains which are chemically bonded to each other to form an intramolecular linkage such as disulfide bonds; amide bond; alkyl acids and alkyl amines which may form cyclic lactams; alkyl aldehydes or alkyl halides and alkylamines which may condensed and be reduced to form an alkyl amine or imine bridge; or side chains which may be connected to form an alkyl, alkenyl, alkynyl, ether or thioether bond. Alkyl chains may include lower alkyl groups having from about 1 to about 6 carbon atoms. In certain embodiments, the intramolecular linkage may be a disulfide, amide, imine, amine, alkyl and alkene bond. In certain embodiments, X and Y are independently selected from Ser, Asp, Glu, Lys, Orn, or Cys. In certain embodiments, X and Y are Cys and Cys. In other embodiments, X and Y are Ser and Ser. In still other embodiments, X and Y are Asp and Lys or Lys and Asp.

Residues 2 (i.e., X) and 7 (i.e., Y) are similarly defined in the specification at, e.g., Paragraph Nos. 109, 139;

[0109] X and Y are amino acids capable of creating a bond and are independently selected residues having side chains which are chemically bonded to each other to form an intramolecular linkage such as disulfide bonds; amide bond; alkyl acids and alkyl amines which may form cyclic lactams; alkyl aldehydes or alkyl halides and alkylamines which may condensed and be reduced to form an alkyl amine or imine bridge; or side chains which may be connected to form an alkyl, alkenyl, alkynyl, ether or thioether bond;

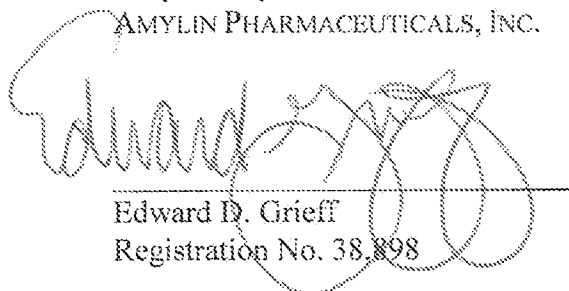
[0139] X and Y are amino acids capable of creating a bond and are independently selected residues having side chains which are chemically bonded to each other to form an intramolecular linkage such as disulfide bonds; amide bond; alkyl acids and alkyl amines which may form cyclic lactams; alkyl aldehydes or alkyl halides and alkylamines which may condensed and be reduced to form an alkyl amine or imine bridge; or side chains which may be connected to form an alkyl, alkenyl, alkynyl, ether or thioether bond;

When SEQ ID NO:34 in the Sequence Listing is read in the context of the specification as it refers to and defines Formula I, the PTO will appreciate that SEQ ID NO:34 in the Sequence Listing is consistent with Formula I in the specification.

In view of the above, Applicants respectfully submit that the Sequence Listing complies with the 37 CFR §§ 1.821 through 1.825.

Dated: August 9, 2010

Respectfully submitted,
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